



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ulrike SCHULZ et al.

**Confirmation No.: 2144**

Serial No. : 10/574,231

Group Art Unit: 1616

(National Stage of PCT/EP2005/051068)

Examiner: not yet assigned

I. A. Filed : March 10, 2005

For : TRANSPARENT COSMETIC OR DERMATOLOGICAL  
FORMULATION**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. §§ 1.97-1.98, Applicants hereby direct the Examiner's attention to the following documents cited in the International Search Report for International Application PCT/EP2005/051068 of which the above-referenced application is a National Stage:

- 1) GB 2 280 111 A, January 25, 1995;
- 2) U.S. Patent Application Publication No. 2003/065027 A1 (BROCK et al.),  
April 3, 2003;
- 3) U.S. Patent No. 3,509,253 (BABBIN), April 28, 1970;
- 4) DE 198 57 235 A1, June 15, 2000, accompanied by an English-language abstract thereof (provided by esp@cenet);
- 5) DE 195 19 404 A1, November 28, 1996, accompanied by an English-language abstract thereof (provided by esp@cenet);

- 6) GB 1 541 396 A, February 28, 1979;

Furthermore, Applicants direct the Examiner's attention to the following documents cited in the German Search Report for German Application DE 10 2004 020 711.9 of which the above-referenced application claims priority:

- 7) DE 44 23 450 C2, January 11, 1996, accompanied by an English-language abstract thereof (provided by esp@cenet); this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 8) DE 199 19 481 A1, November 2, 2000; this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 9) U.S. Patent No. 6,911,210 B1 (BORMANN et al.), June 28, 2005; Applicants note that this document is a family member of document (8);
- 10) DE 198 44 261 A1, March 30, 2000, accompanied by an English-language abstract thereof (provided by esp@cenet); this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 11) DE 198 42 787 A1, March 23, 2000; this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 12) U.S. Patent Application Publication No. 2003/0175221 A1 (GERS-BARLAG et al.), September 18, 2003; Applicants note that this document is a family member of document (11);

- 13) U.S. Patent No. 6,585,983 (GERS-BARLAG et al.), July 1, 2003 B1;  
Applicants note that this document is a family member of documents (11) and (12);
- 14) DE 196 08 775 A1, September 11, 1997; this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 15) U.S. Patent No. 6,156,296 (RIEDEL et al.), December 5, 2000; Applicants note that this document is a family member of document (14);
- 16) DE 196 02 111 A1, July 24, 1997, accompanied by an English-language abstract thereof (provided by esp@cenet); this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 17) DE 101 07 628 A1, August 22, 2002, accompanied by an English-language abstract thereof (provided by esp@cenet); this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 18) DE 695 23 805 T2, October 11, 1995; this document is categorized in the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background;
- 19) U.S. Patent No. 5,652,266 (BOBIER-RIVAL et al.), July 29, 1997;  
Applicants note that this document is a family member of document (18);
- 20) EP 0 775 486 A1, May 28, 1997, accompanied by an English-language abstract thereof (provided by esp@cenet); this document is categorized in

the German Search Report as an A document, i.e., as defining the general state of the art and illustrating the technological background.

Applicants further direct the Examiner's attention to the following documents:

- 21) WO 98/32418, July 30, 1998; Applicants note that this document is cited and discussed at page 2, line 8, of the present application;
- 22) U.S. Patent No. 5,925,388 (MOINEAU et al.), July 20, 1999; Applicants note that this document is a family member of document (21);
- 23) WO 92/05767, April 16, 1992; Applicants note that this document is cited and discussed at page 2, line 9, of the present application;
- 24) U.S. Patent No. 5,587,153 (ANGELONE, JR. et al.), December 24, 1996; Applicants note that this document is a family member of document (23);
- 25) U.S. Patent No. 5,863,525 (ANGELONE, JR. et al.), January 26, 1999; Applicants note that this document is a family member of document (23);
- 26) WO 98/15255, April 16, 1998; Applicants note that this document is cited and discussed at page 2, line 22, of the present application;
- 27) U.S. Patent No. 6,468,551 B1 (DIEC et al.), October 22, 2002; Applicants note that this document is a family member of document (26);
- 28) DE 37 40 186 A1, January 5, 1989; Applicants note that this document is cited and discussed at page 7, line 26, of the present application;
- 29) U.S. Patent No. 4,921,694 (HOPPE et al.), May 1, 1990; Applicants note that this document is a family member of document (28);

- 30) DE 39 38 140 A1, August 8, 1991; Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 31) U.S. Patent No. 5,318,778 (SCHMUCKER et al.), June 7, 1994; Applicants note that this document is a family member of document (30);
- 32) DE 42 04 321 A1, August 19, 1993, accompanied by an English-language abstract thereof (provided by esp@cenet); Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 33) DE 42 29 707 A1, March 10, 1994; Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 34) AU-B-49509/93, March 29, 1994; Applicants note that this document is a family member of document (33);
- 35) DE 42 29 737 A1, March 10, 1994, accompanied by an English-language abstract thereof (provided by esp@cenet); Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 36) DE 42 37 081 A1, May 5, 1994; Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 37) U.S. Patent No. 5,648,067 (DILLENBURG et al.), July 15, 1997; Applicants note that this document is a family member of document (36);
- 38) DE 43 09 372 A1, September 29, 1994; Applicants note that this document is cited and discussed at page 7, line 27, of the present application;
- 39) U.S. Patent No. 5,718,888 (KLIER et al.), February 17, 1998; Applicants note that this document is a family member of document (38);

- 40) DE 43 24 219 A1, January 26, 1995, accompanied by an English-language abstract of family member EP 0 636 359 A1 (provided by esp@cenet); Applicants note that this document is cited and discussed at page 7, line 28, of the present application;
- 41) DE 40 09 347 A1, September 26, 1991, accompanied by an English-language abstract thereof (provided by esp@cenet); Applicants note that this document is cited and discussed at page 7, line 18, of the present application.

Applicants further direct the Examiner's attention to the following co-pending and co-assigned applications:

- 42) U.S. Patent Application No. 10/574,219 entitled "AQUEOUS ANTI-PERSPIRATION FORMULATION";
- 43) U.S. Patent Application No. 10/574,230 entitled "TRANSPARENT COSMETIC MICROEMULSION-BASED FORMULATION CONTAINING AN ALPHA-HYDROXYCARBOXYLIC ACID";
- 44) U.S. Patent Application No. 11/586,585 entitled "OPTICALLY APPEALING COSMETIC OR DERMATOLOGICAL PREPARATION".

Copies of the above-listed documents (with the exception of U.S. patents and U.S. patent applications) and the International and German Search Reports for International Application PCT/EP2005/051068 (in English and German) and German Application DE 10 2004 020 711.9, respectively, are enclosed together with a completed copy of the PTO-1449 Form listing these documents.

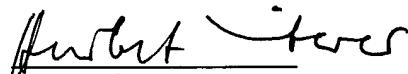
Accordingly, the Examiner is requested to consider these documents and to indicate such consideration by returning a signed and initialed copy of the PTO-1449 Form with the next official communication.

Further to 37 C.F.R. § 1.98 (a)(2)(i) and (ii), copies of the U.S. patents and U.S. patent applications cited above are not enclosed herewith. However, if any copies are needed, the Examiner is respectfully requested to contact the undersigned.

Applicants note that an Office Action on the merits has not yet issued in the instant application, and thus, no fee is necessary to ensure consideration of this statement. However, if an Office Action has issued and is crossing in the mail with this statement, the Patent and Trademark Office is hereby authorized to charge Deposit Account No. 19-0089 any fee necessary to ensure consideration of the submitted materials.

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

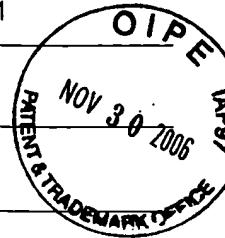
Respectfully submitted,  
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FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P29301Application No.  
10/574,231INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Ulrike SCHULZ et al.Filing Date  
March 10, 2005Group  
1616

## U.S. PATENT DOCUMENTS

| EXAMINER INITIAL |  | DOCUMENT NUMBER | DATE     | NAME                 | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|--|-----------------|----------|----------------------|-------|----------|----------------------------|
|                  |  | 3 5 0 9 2 5 3   | 04/28/70 | BABBIN               |       |          |                            |
| 2003/            |  | 0 0 6 5 0 2 7   | 04/03/03 | BROCK et al.         |       |          |                            |
|                  |  | 6 9 1 1 2 1 0   | 06/28/05 | BORMANN et al.       |       |          |                            |
| 2003 /           |  | 0 1 7 5 2 2 1   | 09/18/03 | GERS-BARLAG et al.   |       |          |                            |
|                  |  | 6 5 8 5 9 8 3   | 07/01/03 | GERS-BARLAG et al.   |       |          |                            |
|                  |  | 6 1 5 6 2 9 6   | 12/05/00 | RIEDEL et al.        |       |          |                            |
|                  |  | 5 6 5 2 2 6 6   | 07/29/97 | BOBIER-RIVAL et al.  |       |          |                            |
|                  |  | 5 9 2 5 3 8 8   | 07/20/99 | MOINEAU et al.       |       |          |                            |
|                  |  | 5 5 8 7 1 5 3   | 12/24/96 | ANGELONE, Jr. et al. |       |          |                            |
|                  |  | 5 8 6 3 5 2 5   | 01/26/99 | ANGELONE, Jr. et al. |       |          |                            |
|                  |  | 6 4 6 8 5 5 1   | 10/22/02 | DIEC et al.          |       |          |                            |
|                  |  | 4 9 2 1 6 9 4   | 05/01/90 | HOPPE et al.         |       |          |                            |
|                  |  | 5 3 1 8 7 7 8   | 06/07/94 | SCHMIUCKER et al.    |       |          |                            |
|                  |  | 5 6 4 8 0 6 7   | 07/15/97 | DILLENBURG et al.    |       |          |                            |
|                  |  | 5 7 1 8 8 8 8   | 02/17/98 | KLIER et al.         |       |          |                            |

## FOREIGN PATENT DOCUMENTS

|   |  | DOCUMENT NUMBER | DATE     | COUNTRY       | CLASS | SUBCLASS | TRANSLATION YES | TRANSLATION NO |
|---|--|-----------------|----------|---------------|-------|----------|-----------------|----------------|
|   |  | 2 2 8 0 1 1 1   | 01/25/95 | GREAT BRITAIN |       |          |                 |                |
| 1 |  | 9 8 5 7 2 3 5   | 06/15/00 | GERMANY       |       |          |                 |                |
| 1 |  | 9 5 1 9 4 0 4   | 11/28/96 | GERMANY       |       |          |                 |                |
|   |  | 1 5 4 1 3 9 6   | 02/28/79 | GREAT BRITAIN |       |          |                 |                |
|   |  | 4 4 2 3 4 5 0   | 01/11/96 | GERMANY       |       |          |                 |                |
| 1 |  | 9 9 1 9 4 8 1   | 11/02/00 | GERMANY       |       |          |                 |                |
| 1 |  | 9 8 4 4 2 6 1   | 03/30/00 | GERMANY       |       |          |                 |                |
| 1 |  | 9 8 4 2 7 8 7   | 03/23/00 | GERMANY       |       |          |                 |                |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

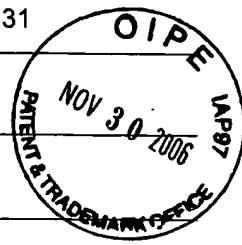
|   |                                             |
|---|---------------------------------------------|
| 1 | English Language Abstract of DE 19857235.   |
| 2 | English Language Abstract of DE 19519404.   |
| 3 | English Language Abstract of DE 4423450.    |
| 4 | English Language Abstract of DE 198 44 261. |
| 5 | English Language Abstract of DE 196 02 111. |
| 6 | English Language Abstract of DE 10107628.   |
| 7 | English Language Abstract of EP 0775486.    |

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449

U.S. Department of Commerce  
Patent and Trademark OfficeAtty. Docket No.  
P29301Application No.  
10/574,231INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT  
(Use several sheets if necessary)Applicant  
Ulrike SCHULZ et al.Filing Date  
March 10, 2005Group  
1616

## FOREIGN PATENT DOCUMENTS

|  |   | DOCUMENT NUMBER | DATE     | COUNTRY   | CLASS | SUBCLASS | TRANSLATION<br>YES | NO |
|--|---|-----------------|----------|-----------|-------|----------|--------------------|----|
|  | 1 | 9 6 0 8 7 7 5   | 09/11/97 | GERMANY   |       |          |                    |    |
|  | 1 | 9 6 0 2 1 1 1   | 07/24/97 | GERMANY   |       |          |                    |    |
|  | 1 | 0 1 0 7 6 2 8   | 08/22/02 | GERMANY   |       |          |                    |    |
|  | 6 | 9 5 2 3 8 0 5   | 10/11/95 | GERMANY   |       |          |                    |    |
|  |   | 0 7 7 5 4 8 6   | 05/28/97 | E.P.O.    |       |          |                    |    |
|  | 9 | 8 / 3 2 4 1 8   | 07/30/98 | W.I.P.O.  |       |          |                    |    |
|  | 9 | 2 / 0 5 7 6 7   | 04/16/92 | W.I.P.O.  |       |          |                    |    |
|  | 9 | 8 / 1 5 2 5 5   | 04/16/98 | W.I.P.O.  |       |          |                    |    |
|  |   | 3 7 4 0 1 8 6   | 01/05/89 | GERMANY   |       |          |                    |    |
|  |   | 3 9 3 8 1 4 0   | 08/08/91 | GERMANY   |       |          |                    |    |
|  |   | 4 2 0 4 3 2 1   | 08/19/93 | GERMANY   |       |          |                    |    |
|  |   | 4 2 2 9 7 0 7   | 03/10/94 | GERMANY   |       |          |                    |    |
|  |   | 4 2 2 9 7 3 7   | 03/10/94 | GERMANY   |       |          |                    |    |
|  |   | 4 2 3 7 0 8 1   | 05/05/94 | GERMANY   |       |          |                    |    |
|  |   | 4 3 0 9 3 7 2   | 09/29/94 | GERMANY   |       |          |                    |    |
|  |   | 4 3 2 4 2 1 9   | 01/26/95 | GERMANY   |       |          |                    |    |
|  |   | 4 0 0 9 3 4 7   | 09/26/91 | GERMANY   |       |          |                    |    |
|  |   | 4 9 5 0 9/ 9 3  | 03/29/94 | AUSTRALIA |       |          |                    |    |

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

|    |                                                                                                                                                    |
|----|----------------------------------------------------------------------------------------------------------------------------------------------------|
| 8  | U.S. Patent Application No. 10/574,219 entitled "AQUEOUS ANTI-PERSPIRATION FORMULATION".                                                           |
| 9  | U.S. Patent Application No. 10/574,230 entitled "TRANSPARENT COSMETIC MICROEMULSION-BASED FORMULATION CONTAINING AN ALPHA-HYDROXYCARBOXYLIC ACID". |
| 10 | U.S. Patent Application No. 11/586,585 entitled "OPTICALLY APPEALING COSMETIC OR DERMATOLOGICAL PREPARATION".                                      |
| 11 | English Language Abstract of DE 4204321.                                                                                                           |
| 12 | English Language Abstract of DE 4229737.                                                                                                           |
| 13 | English Language Abstract of DE 4324219.                                                                                                           |
| 14 | English Language Abstract of DE 4009347.                                                                                                           |
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EXAMINER

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